

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

In the Matter) CIVIL NO. CV03-00672 SOM-BMK
of) (Non-Vehicle Tort)
The Complaint of MORNING)
STAR CRUISES, INC., a Hawaii) **LIMITATION PLAINTIFF'S**
corporation.) **MOTION TO COMPEL**
) **DISCOVERY**
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LIMITATION PLAINTIFF'S MOTION TO COMPEL DISCOVERY

COMES NOW Limitation Plaintiff by and through its attorneys, the Law Firm of Chee & Markham, and hereby moves this Honorable Court, for an order compelling Limitation Defendant to produce in the full, documents previously requested and served on Defendant.,

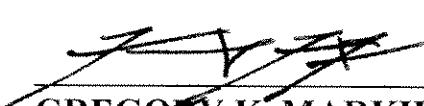
This motion is made pursuant to Rule 37 of the Federal Rules of Civil Procedure. In support of its motion Limitation Plaintiff states:

1. Limitation Plaintiff served its first request for production of documents and answers to interrogatories to Limitation Defendants on March 26, 2004.
2. Defendant failed to answer within 30 days.

3. Limitation Plaintiff sent letters to Limitation Defendants requesting response to its discovery requests on May 28, 2004, October 11, 2004, November 30, 2004, February 16, 2005 and November 2, 2005 in addition to numerous phone calls.
4. To this date, Limitation Defendants have not responded to Limitation Plaintiff's discovery request although Limitation Plaintiff has requested by telephone and letter that Limitation Defendant respond.

WHEREFORE, Limitation Plaintiff requests the court to order Limitation Defendants respond to Limitation Plaintiff's Request for Answers to Interrogatories and Request for Production of Documents within 10 days and award reasonable expenses, including attorney's fees, incurred by Limitation Plaintiff as a result of this motion.

Dated: Honolulu, Hawaii, APR 17 2006.



**GREGORY K. MARKHAM
KEITH K. KATO
DESIREE HIKIDA MOKUOHAI**

Attorneys for Limitation Plaintiff